

# THE CORPORATION OF THE CITY OF BELLEVILLE

## COUNCIL MINUTES

**JUNE 9, 2014**

The Regular Meeting of the Council of the Corporation of the City of Belleville was held on the above date in the City Hall Council Chamber at the hour of 4:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 2:00 p.m. to 4:00 p.m. In view of this, City Council met very briefly in open session at 2:00 p.m. to consider approval of the following resolution.

Moved by Councillor Thompson  
Seconded by Councillor Denyes

THAT City Council enter into In Camera session to consider the following items, pursuant to Section 239 of the Municipal Act.

- In Camera Report No. CAO-2014-12 regarding personal matters about identifiable individuals (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. CAO-2014-11 regarding advice that is subject to solicitor-client privilege (Pursuant to Section 239(2)(f) of the Municipal Act)
- In Camera Report No. DCS-2014-19 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. MCRC-2014-01 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. ECDEV-2014-09 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- Review of the Regular In Camera Minutes of May 26, 2014.

- CARRIED -

**1. CALL TO ORDER**

**1.1. ATTENDANCE**

PRESENT                      His Worship Mayor Ellis

Councillor Boyce	Councillor Jenkins
Councillor Christopher	Councillor Lafferty
Councillor Culhane	Councillor Miller
Councillor Denyes	Councillor Thompson

(Matt MacDonald, City Clerk)

**2. MOMENT OF PRAYER/MEDITATION**

2.1 Mr. Matt MacDonald, Acting Director of Corporate Services/City Clerk, opened this session of Council with a moment of prayer

**3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

There were no disclosures of pecuniary interest brought forward at this time.

Mayor Ellis made a presentation to Krista Keller in recognition of 25 years' service with the City of Belleville. Krista began her employment with the City on June 12, 1989

Moved by Councillor Miller  
Seconded by Councillor Lafferty

THAT the presentation by Mayor Ellis to Krista Keller in recognition of 25 years' service with the City of Belleville be received.

- CARRIED -

**4. PUBLIC MEETINGS****4.1 ELIMINATION OF COINCIDENTAL RESPONSE AREA**

- 4.1(i) Sue Sampson appeared before Council representing Canniff Mill Estates Residents Group. She submitted a list of names concerned with a tax increase with the establishment of this area as an Urban Service Area.
- 4.1(ii) Belleville & District Chamber of Commerce 1<sup>ST</sup> Vice President, Richard Courneyea addressed Council.
- 4.1(iii) Mr. Ron Tillbrook of 8 Kipling Drive addressed Council.
- 4.1(iv) Mrs. Mona Tummon-Lyon of 342 Maitland Drive also spoke to Council.

**5. READING AND CONFIRMATION OF MINUTES**

Moved by Councillor Lafferty  
Seconded by Councillor Culhane

THAT the Minutes of the Regular Council Meeting of May 26, 2014 and Regular In Camera Meeting of May 26, 2014 be approved.

- CARRIED -

**6. DEPUTATIONS**

- 6.1 Mayor Ellis made a presentation to Krista Keller earlier on in today's Council Meeting.
- 6.2 Dwane Barrett of the Belleville Canada Day Committee updated Council on the events being planned at Zwicks Park for Canada Day 2014

Moved by Councillor Lafferty  
Seconded by Councillor Culhane

THAT the deputation of Dwane Barrett of the Belleville Canada Day Committee updating Council on the events being planned at Zwicks Park for Canada Day 2014, be received; **and,**

**THAT the Canada Day Committee be permitted to sell items and that other hawker peddlars be restricted.**

- CARRIED -

**7. CORRESPONDENCE**

There were no items brought forward under this section on today's Agenda.

**8. COMMITTEE OF THE WHOLE**

**MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS WITH COUNCILLOR CULHANE IN THE CHAIR**

Moved by Councillor Boyce  
Seconded by Councillor Denyes

THAT Council rise and go into Committee of the Whole to hear and consider reports, passing of recommendations and resolutions with Councillor Culhane in the Chair.

- CARRIED -

**8. a. REPORTS****8.a.1 VERIDIAN CORPORATION – AMENDED AND RESTATED SHAREHOLDERS’ AGREEMENT**

Moved by Councillor Boyce  
Seconded by Councillor Christopher

REC. NO. 397/14 THAT a by-law to approve and authorize the Veridian Corporation Amended and Restated Shareholders’ Agreement, be prepared for Council’s consideration.

- CARRIED -

**8.a.2 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE “B” PARKING RESTRICTIONS MARY, BROCK, COLBORNE, KING AND WILLARD STREETS**

Moved by His Worship Mayor Ellis  
Seconded by Councillor Christopher

398/14 THAT a by-law to approve and authorize an amendment to By-law Number 12967 being a By-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule “B” Parking Restrictions on Mary, Brock, Colborne, King and Willard Streets, as outlined in Report No. DCC-2014-05 be prepared for Council’s consideration.

- CARRIED -

**8.a.3 CONTRACT ENG2014-20, DUNDAS STREET WEST SANITARY TRUNK SEWER PROJECT**

Moved by Councillor Denyes  
Seconded by Councillor Christopher

399/14 THAT the tender submission from Cobourg Development Services Ltd. be accepted for CONTRACT ENG2014-20 Dundas Street West Sanitary Trunk Sewer Project in the corrected amount of \$3,801,550.89 plus \$494,201.62 HST for a total amount of \$4,295,752.51, this being the lowest cost tender received and that the Mayor and the City Clerk be authorized to sign

the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.

- CARRIED -

8.a.4 **CONTRACT ENG2014-17, BRIDGE STREET BRIDGE REHABILITATION**

Moved by Councillor Miller  
Seconded by Councillor Christopher

REC. NO. 400/14 THAT the tender submission from H.R. Doornekamp Construction Ltd. be accepted for CONTRACT ENG2014-17 Bridge Street Bridge Rehabilitation OPTION A in the corrected amount of \$1,890,281.70 plus \$245,736.62 HST for a total amount of \$2,136,018.32, this being the lowest cost tender received and that the Mayor and the City Clerk be authorized to sign the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal; and further,

THAT a by-law for the closure of Bridge Street West and Bridge Street East to facilitate the rehabilitation of the Bridge Street (Lower) Bridge over the Moira River be prepared for Council's consideration.

- CARRIED -

8.a.5 **ELIMINATION OF COINCIDENTAL RESPONSE AREA AND ESTABLISHMENT OF URBAN AND RURAL RESPONSE ZONES**

*This Report was **TABLED** at the May 26, 2014 Council meeting*

Public Meeting 4.1 refers

Moved by Councillor Thompson  
Seconded by Councillor Christopher

REC. NO. 401/14 THAT in accordance with the Director of Fire and  
Emergency Services' Report No. FES 2014-04  
"Elimination of Coincidental Response Area and  
Establishment of Urban and Rural Response  
Zones", that the Coincidental Response Area be  
eliminated and that Council establish Urban and  
Rural Response Zones.

Councillor Denyes submitted correspondence "for the Record".

Members of Council spoke on this resolution and a Recorded Vote was  
requested.

YEAS: Councillor Boyce  
Councillor Culhane  
Councillor Jenkins  
Councillor Lafferty  
Councillor Miller  
Councillor Thompson

NAYS: Councillor Christopher  
Councillor Denyes

His Worship Mayor Ellis

YEAS: In total number of (7) seven

NAYS: In total number of (2) two

The resolution was - CARRIED

Moved by His Worship Mayor Ellis  
Seconded by Councillor Lafferty

402/14 THAT Council waive solicitor/client privilege to  
enter confidential correspondence from the City  
Solicitor Hicks Morley related to the Elimination  
of the Coincidental Response Area and  
Establishment of Urban and Rural Response  
Zones.

Members of Council spoke on this resolution and a Recorded Vote was  
requested.

YEAS: Councillor Culhane  
Councillor Lafferty  
Councillor Miller  
Councillor Thompson

NAYS: Councillor Boyce  
Councillor Christopher  
Councillor Denyes  
Councillor Jenkins

His Worship Mayor Ellis

YEAS: In total number of (5) five  
NAYS: In total number of (4) four

The resolution was - CARRIED

**8. b. CONSENT ITEMS**

Moved by Councillor Christopher  
Seconded by Councillor Miller

REC. NO. 403/14 THAT the following Agenda items be approved.

- CARRIED -

**8.b.1 ALBERT COLLEGE – EASEMENT AGREEMENT**

404/14 THAT a by-law to approve and authorize the execution of an Easement Agreement between The Corporation of the City of Belleville and Albert College, be prepared for Council's consideration.

- CARRIED -

**8.b.2 PRE-SERVICING AGREEMENT – STORM WATER MANAGEMENT AGREEMENT WITH TRANS-NORTHERN PIPELINES INC., SETTLERS RIDGE SUBDIVISION – PHASE 2, OWNER: SETTLERS RIDGE DEVELOPMENTS INC.**

405/14 THAT a by-law to approve and authorize the execution of a Pre-servicing Agreement for stormwater works between Settlers Ridge Developments Inc., 2398513 Ontario Inc. and The Corporation of the City of Belleville, in support of Phase 2 of the Settlers Ridge subdivision, be prepared for Council's consideration but that the respective Agreement and related documentation not be signed until such time as the Manager of Approvals advises that the Owner has satisfied all City requirements.



THAT a by-law to approve and authorize the execution of an Agreement between Settlers Ridge Developments Inc., 2398513 Ontario Inc., Trans Northern Pipelines Inc. and The Corporation of the City of Belleville, to allow for the construction of stormwater works in support of Phase 2 of the Settlers Ridge subdivision, be prepared for Council's consideration but that the respective Agreement and related documentation not be signed until such time as the Manager of Approvals advises that the Owner has satisfied all City requirements.

- CARRIED -

#### 8. c. COUNCIL INFORMATION MATTERS

Moved by His Worship Mayor Ellis  
Seconded by Councillor Boyce

REC. NO. 406/14 THAT the following Agenda items be received save and except Items 8.c.1.a.

8.c.1 **REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS**

a) **Request for Province to Grant Powers to Municipalities to Adopt Rules of Election Finance**  
May 20, 2014 resolution from the Corporation of the City of Kingston

8.c.2 **ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF**

- Independent Electricity System Operator's (IESO) 2013 Annual Report – "Ready Set Go: Capturing the New-Found Flexibility in Ontario's Power Grid".

- CARRIED -

With respect to Council Information Matters Item 8.c.1.a the following resolution was approved.

Moved by Councillor Christopher  
Seconded by Councillor Lafferty

REC. NO. 407/14 THAT the May 20, 2014 resolution from the Corporation of the City of Kingston regarding Request for Province to Grant Powers to Municipalities to Adopt Rules of Election Finance, be received.

- CARRIED -

**8. d. RISE AND REPORT**

Moved by Councillor Lafferty  
Seconded by Councillor Boyce

THAT Council rise and report.

- CARRIED -

**9. BY-LAWS**

**9. a. FIRST READING OF BY-LAWS**

Moved by Councillor Thompson  
Seconded by Councillor Miller

408/14 THAT the following by-laws be read a first time:

2014-89, a by-law to approve and authorize the execution of an agreement with the Ministry of Rural Affairs and The Corporation of the City of Belleville (Belleville Downtown Improvement Area)

2014-90, a by-law for the closure of Bridge Street West and Bridge Street East to facilitate the rehabilitation of the Bridge Street (Lower) Bridge over the Moira River

2014-91, a by-law to approve and authorize the execution of a Pre-Servicing Agreement between Potters Creek Developments Inc. and The Corporation of the City of Belleville (Phase 3, Potters Creek Subdivision)

2014-92, a by-law to approve and authorize the execution of a Pre-servicing Agreement for stormwater works between Settlers Ridge Developments Inc., 2398513 Ontario Inc. and The Corporation of the City of Belleville, in support of Phase 2 of the Settlers Ridge subdivision

2014-93, a by-law to approve and authorize the execution of an Agreement between Settlers Ridge Developments Inc., 2398513 Ontario Inc., Trans Northern Pipelines Inc. and The Corporation of the City of Belleville, to allow for the construction of stormwater works in support of Phase 2 of the Settlers Ridge subdivision

2014-94, a by-law to approve and authorize the execution of an Amended and Restated Shareholders Agreement made as of the 9<sup>th</sup> day of June 2014 between The Corporation of the Town of Ajax, The Corporation of the City of Belleville, The Corporation of The Municipality of Clarington, The Corporation of the City of Pickering, Veridian Corporation, Veridian Connections Inc. and Veridian Energy Inc.

2014-95, a by-law to approve and authorize an amendment to By-law Number 12967 being a By-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule "B" Parking Restrictions on Mary, Brock, Colborne, King and Willard Streets (**1<sup>st</sup> Reading Only**)

- CARRIED -

**9. b. SECOND READING OF BY-LAWS AND DISCUSSION**

Moved by Councillor Thompson  
Seconded by Councillor Lafferty

REC. NO. 409/14 THAT the following by-laws be read a second time:

2014-89	2014-92
2014-90	2014-93
2014-91	2014-94

- CARRIED -

**9. c. THIRD READING OF BY-LAWS**

Moved by Councillor Miller  
Seconded by Councillor Lafferty

410/14 THAT the following by-laws be read a third time:

2014-89, a by-law to approve and authorize the execution of an agreement with the Ministry of Rural Affairs and The Corporation of the City of Belleville (Belleville Downtown Improvement Area)

2014-90, a by-law for the closure of Bridge Street West and Bridge Street East to facilitate the rehabilitation of the Bridge Street (Lower) Bridge over the Moira River

2014-91, a by-law to approve and authorize the execution of a Pre-Servicing Agreement between Potters Creek Developments Inc. and The Corporation of the City of Belleville (Phase 3, Potters Creek Subdivision)

2014-92, a by-law to approve and authorize the execution of a Pre-servicing Agreement for stormwater works between Settlers Ridge Developments Inc., 2398513 Ontario Inc. and The Corporation of the City of Belleville, in support of Phase 2 of the Settlers Ridge subdivision

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2014-94, a by-law to approve and authorize the execution of an Amended and Restated Shareholders Agreement made as of the 9<sup>th</sup> day of June 2014 between The Corporation of the Town of Ajax, The Corporation of the City of Belleville, The Corporation of The Municipality of Clarington, The Corporation of the City of Pickering, Veridian Corporation, Veridian Connections Inc. and Veridian Energy Inc.

- CARRIED -

## 10. **NEW BUSINESS**

Councillor Miller sought an update on the downtown buildings with fencing surrounding them (former Bohemian Penguin, Intelligencer). The Director of Engineering and Development Services, Rod Bovay, provided an update on the matter and advised that orders have been issued.

Councillor Christopher spoke about road conditions (potholes) and what the City's plan is to address. The Director of Environmental and Operational Services, Jim Zimmerman, advised of plans to address the issue.

Councillor Thompson inquired about street sweeping. The Director of Environmental and Operational Services, Jim Zimmerman, confirmed street sweeping has begun, crews are out working and the Environmental and Operational Services Department is advising citizens of the street sweeping schedule.

Councillor Boyce is seeking a pot hole "hotline" for reporting by the public. The Director of Environmental and Operational Services, Jim Zimmerman, supports this and is working towards a solution.

Councillor Lafferty commended the professionalism of the Environmental and Operational Services Department at the recent median tree planting.

Councillor Culhane thanked Joe Reid and work crews for addressing clothing drop off bins and asked the public to advise if they appear.

His Worship Mayor Ellis advised that the doctor recruitment program was successful in attracting a new doctor for the City, a specialist in oncology.

Moved by Councillor Boyce  
Seconded by Councillor Lafferty

REC. NO. 411/14 THAT By-law Law Number 2014-97, being a by-law to approve and authorize the execution of a Medical Services Agreement between the Corporation of the City of Belleville and Janarthanan Kankesan, be read a first, second and third time and finally passed this 9<sup>th</sup> day of June 2014.

- CARRIED -

## 11. MOTIONS

There were no items brought forward under this section on today's Agenda.

## 12. NOTICE OF MOTIONS

There were no items brought forward under this section on today's Agenda.

## 13. ANNOUNCEMENTS

There were no items brought forward under this section on today's Agenda.

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Boyce  
Seconded by Councillor Culhane

REC. NO. 412/14 THAT By-law Number 2014-96, a by-law to confirm the proceedings of Council at its meeting held on June 9, 2014, be read a first, second and third time and finally passed this 9<sup>th</sup> day of June, 2014.

- CARRIED -

**15. ADJOURNMENT**

Moved by Councillor Denyes  
Seconded by Councillor Miller

THAT this session of Council be adjourned.

- CARRIED -

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MAYOR

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CLERK